A Newspaper's Value as an Adver-

tising Medium is Determined by the Character of Its Circulation.

FINAL PLEA FOR MURDERER DAY

Dramatic Scenes Before Pardon Board at Reopened Hearing This Morning.

DECISION THIS AFTERNOON.

Mrs. J. R. Walker Says Her Babies Told Her Not to Let Them Shoot Day.

He Was Her Coachman and Won the Love of Her Children by His Kindness and Gentleness.

hearing which means either the ward which will send A. T. Day to seath chair Friday morning or save te for endless days within prison brought out a number of vital interesting points this morning and marked by dramatic moments ich crowded one upon the other in ging rapidity. Mrs. J. R. Walker, hom Day worked as a coachman, ed the greatest impression upon auditors gathered in the supreme rt chambers. Standing before the rd of pardons, she made a most nest and dramatic plea for clemency the black man who now awaits the set for his death within his cell

I come before you, not ause I have been asked, but be-I could not enjoy peace for the nder of my days if I let that man his death without saying a word him. He worked for me and was a my observation for months. Duratime I never saw him even angry ross. My children loved him behe he was so kind and gentle to It's because of this—nothing—that I am now here. My bables me not to let them shoot Mr. All the time he was in my employ as sober, industrious and attentive is duties. He had a room near his ey and evening after evening I is see him sitting in his little room he lamplight. I cannot believe him minal because of his kindness to treh and his quiet docide disposihis death without saying a word and his quie's docile disposi-

s Mrs. Walker continued in the same Mrs. Walker continued in the same language pairs of eyes were wet and burled in hands. Atty. George M. an, who took the most active partice proceedings for the defense, it in his handkerchief. In concluding Walker said in a low voice, leaven, Mr. Day was a good manest believe him anything else and that all was not told at the trial, set want vou to let him he shot! not want you to let him be shot." NEW TRIAL ASKED.

the defense is going to ask for trial was made a certainty this ing by Atty. Sullivan who started dress the board and said as much eing interrupted. Atty, Sulli-just started to show the un-y of some of the prosecution's ind bring out the point that, "fraternal" spirit among cer-red men, had worked against ddant when one interruption other making it unwise and a for him to finish. But ac wident before sitting down fense is going to ask, not for on of sentence only, but that station of sentence only, but that it rial be granted owing to the algustice in the one held before which convicted and sentenced fendant to death, although one anomater had held out for a differentence until he was told by his jurors that his action was not and that the public demanded execution. Day's trial compart of the sentence Joynt, Peter Anderson, Davi J. H. Vincent, Royal Bate avid B. Richards, George M W. B. Armstrong and Carl John

INTEREST INTENSE.

er, or seldom at the most, has a intensely dramatic hearing for station of sentence been held a board of pardons. To the re layman there appeared to been brought out this morning a bundance of evidence and testiwhich could result in but one Just whether the average lays correct and too given to pity remains to be seen as the hear-iss continued until this afternoon. points developed this morn-be summarized as follows: COLORED ODD FELLOWS.

om the testimony of a Mr. Councolored, it appears that because was a fellow member of a local ed lodge with Joe Ware, one of late's witnesses, who was present its shooting, all evidence within fold which would work in favor, we defendant was suppressed. Mr. sel said Ware had told him and s to say nothing and know nothings if they did otherwise there is an uproar" in fraternal cirbe "an uproar" in fraternal cir-

J. R. Walker, Mr. W. P. Kiser well known residents of Sait led for Day, saying he was le and docile.

be and doctle, between that the did not tell all he knew diffing during the trial was all startlingly when he was before the board this morn-

FARDON BOARD. pard before whom such a fort is being made to save a cists of Gov. J. C. Cutter; Straup, McCarty and Frick, or Breeden, Warden Arthur the penitenthary is present over the case. J. W. Houston Day worked, was also presented to be a considered by Ellis Ellis and Schulder; Sutiliyan, Walter Little and Donn. The supreme court was filled with interested as filled with interested hite and black, all anxious and for or against the con-

DIFFERS FROM RECORD.

not tell all the facts at the trial was strikingly brought out when Ware took the stand this morning. In relating the events which transpired immediately after the shooting of Voss by Day, Ware added details which are not found in the stemesters are

Day, Ware added details which are not found in the stenographer's record of the testimony given before the jury which convicted Day and brought about the death sentence by its findings.

Joe Ware took the stand somewhat unwillingly. He had been summoned to the session room by Governor Cutler. His examination was conducted by A. C. Ellis. Ware declared that he was not a church member and that he had never been such. He cannor read nor write, he says, and never spent a day in School. Since leaving his parents' home, he has heard from them only once in 10 years. He was a coal and from miner, and since coming to this city he had worked as a commor laborer. Attorney Ellis, pressing him regarding his affiliations with a church, asked him;

"There have always been churches

"There have always been churches here since you came here, have there 'Yes," answered Ware, "but because

"Yes," answered Ware, "but because they'se churches a man don't have to go to them, do he?"

Atty. Ellis was striving to obtain from the witness his idea of the obligation entered into when a person takes an oath to "tell the truth, the whole truth and nothing but the truth, so help me, God."

"Do you know what the penalty is in the event that you lie when under oath?" Mr. Ellis asked Ware.

RECKLESS AS TO FUTURE.

RECKLESS AS TO FUTURE.

"Well, I suppose you go to hell, if there is such a place. I ain't prepared to go nowhere else anyway."

Ware admitted that there were certain fraternal relations between himself and Voss that made him more friendly toward Voss than toward Day, but he said that he had nothing "in particular against Day."

Ware admitted that he had had some trouble with Day the Saturday night before the shooting. He admitted that his relations with Mrs. Yarber had been rather intimate, but he said that he was not jealous because he had heard that Mrs, Yarber and Day were also intimate to a degree.

Intimate to a degree.

Ware refused to say that he had heard Mrs. Yarber, who was a witness in the trial of Day, say on her death bed, "If God Almighly could forgive me for the lies I have told about Day, I could die happy."

Ware denied that he had told either counsel or anyone else that he had.

counsel or anyone else that he had said he had testified to certain things on the preliminary hearing and that he couldn't change it in the trial.

NEW TESTIMONY.

NEW TESTIMONY.

The new testimony was given by Ware w en he testified to the events which followed the killing of Voss. Ware said that he rushed into "Old Man" Edwards' room and got a revolver from the dresser. He did that, he said, for his own protection against Day. He said that he hed it in his hand all the time up to the time he returned to the room where Voss lay dead. Then he said he saw officers around with the other people and he dropped the gun, not wanting to be arrested with the revolver on his person.

arrested with the revolver on his person.

This testimony is not found in the record of the trial of the case against Day. One of Day's attorneys stated immediately after the adjournment of the board until this afternoon that the new testimony given before the board with regard to his own actions after the shooting would be sufficient to convince all that Ware did not tell all the truth when he was on the stand. It was intimated that in the event that nothing further came up this afternoon, the attorneys for Day would rest on that as a ground for a new trial.

When adjournment until this afternoon at 2 o'clock was announced by Governor Cutler. Ware was still on the stand and was cautioned to be present when the adjourned session was commenced at 2 o'clock.

JOHN A. WALKER CALLED.

JOHN A. WALKER CALLED.

John A. Walker was the first man called. He has been a resident of Union for over 50 years, and was a juror in the body which convicted A. T. Day. He was placed under examination by Atty. George M. Sullivan. Mr. Walker said he had an opinion that Day shot Voss on the impulse of the moment, not by premeditated action.

by premeditated action.

Mr. Walker said he had talked with Mr. Walker sald he had talked with his fellow jurors regarding the killing and amounced he would vote accordingly. "I was told I should not stand out against the other eleven," said Mr. Walker. "I was told also by several jurors that the public expected a verdict of guilty of murder as charged in the complaint. The Shockley case was referred to, some of the jurors making the statement that the case was worse than it.

than it.
"I would have held out to my dying "I would have held out to my dying as a "I would have held out to my dying day had I understood my duty as a juror as I do now. The charge was explained to me wrongly, I see now, by my fellow jurors and I cast my ballot against my own judgment."

BERT C. COUNSEL.

BERT C. COUNSEL.

Bert C. Counsel, colored, was the next person examined. He said he has lived in the west side of town for four or five years. He said he knows Joe Ware: a witness in the Day hearing. I had a conversation with him," said the witness. "This was after the preliminary hearing. He said he had sworn that Day shot Voss just after he (Ware) had called Voss in to settle a dispute. I said I thought it strange that a man without saying a word would haul off and shoot another man. To this he answered, That's what I have testified to and I 'ain't changing nothing now. This was all that passed between us." Counsel was then excused. He was recalled immediately after, however, as Gov. Cuttler wished to ask him a question. This was "You say you have talked to no one about this case" The witness answered in the affirmative Atty, Sullivan asked Counsel if he had not talked with a man named McSwine. Witness remembered he had. Counsel was again excused for a time. was again excused for a time,

MRS. COUNSEL TESTIFIES.

Mrs. Counsel was then called. Justice Straup suggested that counsel for the defense should not ask questions with a tendency to open secrets or communications between man and wife. Atty. Sullivan asked Mrs. Counsel if she was willing to tell about conversations between man and wife. Members of the board and attorneys discussed the point pro and con. Gov. Cutler said if man and wife were agreeable to either telling about conversations between them, there was no reason why the woman should not talk. Mr. Counsel was asked if he cared if his wife testified on conversations between them.

"None, except that it might hurt happiness in the family," answered Mr. Counsel. The board then suggested that Mr. and Mrs. Counsel step into an ante-room and consult upon the point, when they left the room Mc-Bwine was called.

MR. M'SWINE ON STAND. Mrs. Counsel was then called. Jus-

MR. M'SWINE ON STAND.

MR. McSwine said Mr. Counsel had asked him to bring Ware to him so they (Ware and Counsel) could talk over matters so both Ware and himself could be refreshed in memory. Continuing witness said: "Counsel intimated to me that he and Ware had held a conversation in which Ware said there had been a conversation between Day and Voss just before the shooting. "Mr. Counsel teld me that he knew that I knew if we divulced any inside facts about the case it would create an uproar in fraternal circles. A great deal

The contention of Day's counsel to facts about the case it would creat an bank the effect that Witness Joe Ware did appear in fraternal circles. A great deal bank

of stir has been created over the shoot-ing and subsequent affairs among dif-ferent factions and classes. I know Mr. Counsel did not want to be drawn into he case. I was impressed and am of the opinion that there was some affair

the opinion that there was some affair before the shooting."

Mr. Mcswine went on to tell about an incident which happened one day when he started through Franklin avenue. Mrs. Voss made him go to a newspaper office to prove that ne didn't take an article into the office, "I didn't want to risk a fight with her as I had heard of her fighting propensities, so I went." Nothing came out of the affair. Mr. McSwine was excused and Atty. Sulivan announced that evidence was all in. The lawyer then began his address to the board,

ATTORNEY INTERRUPTED.

ATTORNEY INTERRUPTED.

Attorney Geo. M. Sullivan started to speak for A. T. Day, the condemned man, but before he had got fairly started, Justice Straup interrupted him, suggesting that there might be some one else present desiring to contribute some evidence. Mrs. Voss, who was present, unnounced that Mrs. Walker, known as "Colored Liz," was ready to make a statement. Mrs. Walker took the stand, explained she was a washerwoman, and had lived with Day until she got afraid of him, "He was a drunkard; bad man; cangerous man; fighter and tough," was the way Mrs. Walker described Day. Under examination by Attorney Sullivan, Mrs. Walker admitted Mrs. Voss sent for her.

DRAMATIC MOMENT.

DRAMATIC MOMENT.

A dramatic moment in the hearing was reached when Mrs. J. R. Walker took the chair and spoke for Day, who worked for her as a conchann for five months. Day left her employ about a year and a half ago. Mrs. Walker said she believed he has not nad a fair showe of justice and could not see him going to his death without saying a word for him. Mrs. Walker's words created a perceptible effect, several auditors covering their taces with their itors covering their taces with their

hands,
Rev. T. H. Allen, colored, followed
Mrs, Walker and he, too, made a most
intensely dramatic piea for Day. Rev.
Mr. Allen has become acquainted with
Day since the shooting. "If he is shot
Friday morning, I will always feel he
has not had full justice. Something has
been kept back. I believe in the law
and enforcement of the law, but I thank
a mistake is about to be made."

EMPLOYED BY KEYSOR.

Keysor, for whom Day also worked Keysor, for whom Day also worked as a coacaman, appeared before the board and said he had found the colored man a quiet fellow with slittle to say and very conscientious in all he did. "He had a room in the stable and whenever I needed him in the evening I always found him in his quarters. I never saw him drunk and he worked for me from September right up until the day of the tragedy."

MRS. WASHINGTON HEARD.

Mr. Keysor was excused and Mrs. Washington, colored woman mentioned by "Liz" Walker as a sweetheart of Day's, took the stand. Mrs. Washington is a little colored woman past middle age, and standing with both arms held in the air began: "Gentlemen, I am a woman—a thorough woman—and for the past 18 years I have been a Christian woman, I have lived as one and I cannot stand what that woman—that kind of a woman—tpointing to Mrs. Walker) says about me. I know Day and always knew him as a gentlemantie was sober and kind, and I resent the slurs cast upon him by that (again pointing to Mrs. Walker). That story about Day being a bad man is wrong, it's not the truth, for he was a good man." Almost sobbing, Mrs. Washington took her seat among the auditors unable to say more. Mr. Keysor was excused and Mrs. unable to say more.

REV. SIMPKIN.

Rev. P. A. Simpkin was the next speaker. "I come before your excel-lency and members of the board solely in the interest of mercy. I realize that the duties laid upon your shoulders seem to you to merit that sternness which rules out everything else—every sentiment or feeling and I realize that in extending elemency to muddress. sentiment or feeling and I realize that in extending clemency to murderers, mistakes have been made again and again, but I ask that you consider the pleas laid before you today, as they are different. Rather than have you send this man to his God I would have you keep him within the prison walls for the rest of his life. He who kills by premeditated act leaves nothing to be said for him; there is nothing to say for him who kills in cowardice or who wrongs woman; but he who kills in the passion of a moment leaves something to be said for him. Voss was my friend and the best of his people in Sait Lake; but if he were in Day's place today I would be here just as I am now. I ask for such a small thing—such a small thing, a life, only for pity. The act was done unthinkingly; Day's death can do no one any good. Thank you gentlemen."

Justice Frick interposed a query; "Parson, have you been in contact with Day since his incarceration in the pri-son, and if you have, what is your im-pression of the man?"

pression of the man?"

"I have," answered Rev. Simpkin.
"He is no criminal!" The parson then
went on to tell of a visit to Day's cell
in which the condemned man said he
deserved whatever came to him, and
he could only look to God for anything else. "This was not said with
bravado," added the speaker. "He appeared as simple and sincere as a peared as simple and sincere as

NO OGDEN BANK

IS INVOLVED.

(Special to the "News.") Ogden, Dec, 11.-The Associated Press dispatch printed in last night's "News," stating that an Ogden bank had \$253,000 on deposit with the California Safe Deposit and Trust company at the time of its failure, was read with surprise here. Hon. David Eccles, president of the First National bank, authorizes the "News" to state that no bank in Ogden now has one

that no bank in Ogden now has one dollar on deposit with the San Francisco bank in question. The facts in the case are as follows:

The Western Pacific Railroad company kept a bank account with the California Safe Deposit and Trust company. The Western Pacific gave a large draft to the Utah Construction company of Ogden, in the course of business, on the San Francisco institution: the Construction company deposited the draft to its credit with the First National Bank of Ogden, which in upn forwarded the draft for its own credit to the San Francisco bank, drawing drafts against it in the ordiown credit to the San Francisco bank, drawing drafts against it in the ordinary course of business. The remittunce of the First National of Ogden reached San Francisco just the day before the bank fulled: hence, when the Ogden bank's drafts on the San Francisco house were presented they were returned unpaid. These drafts were promptly taken up by the Utan Construction company, and the remainder of the claim of the First National bank against the San Francisco hank was assigned to David Eccles, and Matt Browning, those two gentlemen having sent an agent to San Francisco, who satisfied them that the money would be forthcoming in time.

The First National Bank of Ogden, therefore, has nothing whatever involved in the San Francisco failure, nor as stated above, has any giher Ogden

above, has any other Ogden

MINE OWNERS WANT MARTIAL LAW

Urging Gov. Sparks to Induce Col. Reynolds to Declare it Before Funston Arrives.

SITUATION IS VERY INTENSE.

Unless Soldiers Put in Charge Feared Attempts Will be Made on Water Supply.

Union Men Say No Danger of Vio. lence or Destruction of Property -Will Picket Mines.

Goldfield, Nev., Dec. 11.-Gov. Sparks and Col. Reynolds, who is in ommand of the troops in Goldfield, held a conference this morning at the governor's hotel, and separated without deciding the matter of declaring martial law in this camp. It appears that the governor is being strongly urged by the mine owners to n ake every endeavor to induce Col. Reynolds to take this action before the arrival of Gen. Funston, which will be on Thursday, after the attempt it made to reopen the mines on Thursday morning. The conference this morning was barren of results and Col. Reynolds and Gov. Sparks will meet again this afternoon for another discussion of the matter.

He admitted that he would like to be able to stop the outrages but was still unwilling to take any decisive step until some act of violence had been committed or until the arrival of Gen. Putston.

Three more "high graders" were captured this morning.

OPEN MINES TOMORROW. nake every endeavor to induce Col.

OPEN MINES TOMORROW, The Mine Owners association officials still assert that the mines will be worked tomorow and that they have been engaged to work them. The effort to have martial law declared today is for the purpose of allowing troops to patrol the mine and to search for cancelled arms and ammunition alleged. patrol the mine and to search for con-cealed arms and ammunition alleged to be held by the strikers in various places. The mine owners anticipate attempts to destroy machinery of pow-er, wires or water supplies tonight un-less the soldiers take charge of the sit-uation. On the other hand, the union men say they will attemp no violence nor destruction of property, but will endeavor to induce any miner who may try to go to work to leave the mines and join the union. The union has also sent pickets to Reno and Las Vegus. Capit Swain, of the Thiel agency, has left for California to be ready to bring 500 California miners here on short no-tice.

The men secured are mostly lead min-ers from Joplin. Mo., who have been strike-breakers in Idaho and Califor-nia and can be brought here in two days time.

SWEARING IN DEPUTIES.

Constable Inman is swearing in 100 extra deputies who will pairol the mining district tonight and be detailed as personal guards of the miners tomorrow. They are in the pay of the Mine Owners' association. These deputies will carry only revolvers at first and it necessary win be provided with repeating riffes later. The situation here is becoming more intense every minute, and there is not a person who does not anticipate trouble of some sort to-night or tomorrow at the latest.

"HIGH GRADERS" ARRESTED. McCabe and James Thompson, min-ers who formerly were employed in the Rogers lease, were arrested last night by deputy sheriffs and constables who Rogers lease, were arrested last night by deputy sheriffs and constables who had been watching the mines on the 400 foot level of the Little Florence lease. They are in jail, charged with burglary. The owners of the lease claim that they have been "high grading," and that they have uncovered a vein of rich ore, and have extracted a large lot of it. Three others, whom the officers are searching for, are alleged to be implicated. Tools hidden on the 400 foot level on the Rogers lease were unearthed by the officers.

The men descended the shaft of the O. K. mine, which is unguarded, and made their way along the levels of the O. K. and Rogers lease through a bulkhead, and into the Little Florence.

This is the first intimation that any depredations were being committed since the beginning of the strike.

GOLDFIELD MINERS' STRIKE ENDORSED

Denver, Dec. 11,-Official endorsemen of the miners' strike at Goldfield was given yesterday by the executive board of the Western Federation of Miners, The following telegram was sent to Charles H. Mackinnon president of the Goldfield Miners' union. Executive board recognizes justice of our position. Will render all possible

DOWAGER QUEEN SOPHIA.

Her Condition is Such as to Occasion Anxiety

Stockholm. Dec. 11.—The condition of Dowager Queen Sophia is occasioning anxiety. The strain upon the queen incident to the illness and death of King Oscar was very severe and since his death she has been almost constantly confined to her bed.

San Francisco, Dec. 11.—President David F. Walker of the insolvent Cal-ifornia Safa Deposit and Trust com-pay, accused of embezziement, was today released from custody on \$75.-

J. Daizell Brown, vice president and J. Dated Brown, vice president and general manager of the institution, is still in fall. The bonds offered for his release by a surety company being rejected by Judge Dunne on the ground that the company already had gone security for so many accused persons that he preferred to have Brown secure ball classwhere.

SARATOGA. WYO., BANK.

First National Authorized to Begin With Capital of \$65,000,

(Special to the "News,")
Washington, D. C., Dec. II.—The First
National bank of Saratoga, Wyo., has
been authorized to begin business with
\$65,000 capital; I. C. Miller, president; Gustave Jensen, cashler.



PRESIDENT JOHN R. WINDER,

Whose Eighty Sixth Birthday Anniversary Occurs Today. To reach the age of four score and six seen making his way to the president's years in perfect health and with every faculty of mind unimpaired, is not the lot of many men. But such has been the destiny of President John R. Winder, who today enters upon his eightyseventh year. To see him, with unright form and elastic step, as he walks to and from his office, or to behold him therein, engaged with his colleagues of the First Presidency in disposing of the vast amount of accumulated work of the day, a stranger might guess Colonel Winder to be 60 years old, scarcely more, and would doubtless view with incredulity a statement that the veteran had passed that point by 27

The day has for many years been observed by the family or by the workers in the temple in the way of a celebration, but such a feature will this time be postponed until a date in the near future, owing to illness in the immediate family of President Winder. Personally he is in his usual good health, and despite the inclemency of the weather this morning, he was early i or creed,

WESTERN PAINTERS.

BRIEF SKETCH OF LIFE.

President Winder was born at Biddenham, Kent, England, Dec. 11, 1821, but was residing in Liverpool, serving as clerk in a shoe store, when he became a convert to Mormonism. The incident that led to his introduction thereto was the picking from the floor of a scrap of paper, apon which were written the words "Latter-day Saints." A question by him as to what the phrase meant elicited information from a fellow clerk that led to an investigation which resulted in the baptism of Mr. Winder on Sept. 20, 1848. His wife, Ellen Walters Winder, was baptized the following month. In February, 1853, the family, which by that time included three children, sailed for America in the ship Elvira Owen. Oct. 10 witnessed their arrival in Sait Lake City, and this county has been the place of residence of Colonel Winder since that time. His illustrious labors in the Church, as well as in civil and military affairs, are too well known to the people of Utah to require rehearsing. Than President Winder, few, if any, have been more active and successful in the highest esteem by all, regardless of sect or creed, President Winder was born at Bid-

Twelfth Annual Exhibition Opens in Is Breath of Death in Large Cities, Chicago.

Chicago, Dec. 11.-The twelfth annual exhibition of the Society of Western Painters opened yesterday at the art institute with a display of 148 paintings, the work of western artists.

Among the well known artists who are exhibiting their works are Lorado Taft of Chicago, Clement J. Barnhorn of Cincinnati, Oscar Berhinghaus and Edmund H. Wuerfel of St. Louis,

MME. TETRAZZINI.

Famous Prima Donna Will Appear in Manhattan Opera House Jan. 15

New York, Dec. 11.-Oscar Hammerstein announces the appearance on stein announces the appearance on Jan. 15 at the Manhattan Opera House of Mme. Tetrazzini, the famous prima donna, who has been immensely successful in London this season. The announcement is made formally, and it is said that the singer's first appearance in New York will be in "La. Travitata." Mr. Hamerstein's agent in London has been negotiating for some time with Mme. Tetrazzini, but it was recreasive to secure the cancellation of necessary to secure the cancellation of other contracts before she was able to come to America. Mme. Tetrazzin sang several years age at San Francisco.

STANFORD WHITE SALE.

Last Session Yesterday, Total Amount

Realized \$90,028. New York, Dec. 11.-The last session New York, Dec. 11.—The last session of the sale of the art collections of the late Stanford White was held yesterday and netted \$3.416, making the total for the chitic sale, \$30,028. The articles sold yesterday were large marble and stone objects, too large to be removed to the galleries, and they were sold in the warehouse where they were stored by Mr. White to await the time when he would have use for them in connection with the buildings he designed. The highest price paid was for an antique Italian fountain, which brought \$525.

FOR ITALIAN THEATER.

New York, Decc. 11.—The establishing of an Italian theater in New York is said to be in prospect as a result of the visit of Ermete Novelil, the famous Italian actor. The pian is being formulated by a party of Italian merchants of New York, who propose, to erect a theater and bring to America famous Italian dramatic stars supported by their own companies to give long series of performances in New York and to pay visits to other cities where there are large Italian populations. The plans have not yet been completed.

BASEBALL MANAGERS MEET. Chicago, Dec. II.—Representative of

Chicago. Dec. II.—Representative of the baseball clobs of the American league will put their heads together in annual meeting this afternoon, each one alert for some dicker that wil ladd to the efficiency of his own particular-club. Rumors of all sorts of trades are in the air, notwithstanding the tradition that few important transfers have been known to take place at the annual conference. In expectation of such reorganization, quite a number of minor leagues are hovering near, hoping to be able to pick up some players.

MARRIAGE WAS A FAILURE.

New York, Dec. 11.—Because he and his wife of two months quarreled over his desire to spend his evenings at his boweling club, Jacob Victor killed him-self last night,

tion is dolog far more harm than not having enough to eat, PROMPT ACTION

PREVENTS FIRE PANIC. Chicago, Dec. 11.-Three audiences in the Fine Arts and Studebaker theater buildings were kept from panies last night by quick action of fire department officers and theatrical managers after a fire had been discovered in the Chicago musical college building, which adjoins the structures.

adjoins the structures.
One alarmist was knocked unconscious in the lobby of the Studebaker building by an official of the theater after he had uttered one shout of "Fire." Hobart Chatfield Chatfield-Taylor hurried to the stage of Music ball, where a performance was being given, and calmed the people in the audience, who had smelled the smoke and had begun to exhibit signs of had begun to exhibit signs of

The fire, which was in the organ loft of the Chicago Musical college on the eventh floor, was of little consequence and readily was extinguished.

Chief Horan ordered that all the fire

Chief Horan ordered that all the hre-department apparatus should be stop-ped a half block north of the theater buildings. He also quickly stilled the gongs and the firemen's shouts. In the Studebaker theater, where a play was being witnessed by 1,400 per-sons, all the exits were taken in charge

sons, all the exits were taken in charge by ushers and firemen, who were ordered to throw them wide open at the first symptom of panic.

Less than a score of persons in the theater knew of the fire.

On the tenth floor of the Fine Arts building, 290 members of the Shake-speare club were gathered, and in a dramtic school on the eighth floor about 75 pupils and teachers were engaged. They were warned by attendants of the building, and all left by the elevators.

TO INVESTIGATE THOROUGH-LY GOLDFIELD SITUATION

Washington Dec. II.—Asst. Secy. Murray, of the department of Commerce and abor. Commissioner Charles P. Neill and ierhert Smith, commissioner of coporations, will leave Washington at 3 o'clock his afternoon for Goldfield, Nevada, to nake a thorough investigation of the rouble between the miners and mine operators at that place. Secy. Murray and commissioner Smith made this amouncement after a conference with President toosevelt today.

DEMOCRATIC COMMITTEE.

Preliminary Prepartion for Meeting Tomorrow Perfected.

Washington, Dec. 11.—All the pre-liminary preparations for the meeting of the Democratic national convention committee, which will be held at the Ariington hotel beginning at 12 o'clock tomorrow, have been completed, and to a now believed that it will be possible for the committee to complete tomor-row its work of selecting a time and place for holding the convention.

HARRY ORCHARD MADE A WITNESS

Notorious Wholesale Murderer Testifies in the Trial of

PRISONER EYED HIM CLOSELY

Told Tersely of Events Leading Up to Biowing Up the Bunker Hill Mine and Sullivan Mill.

Swore Defendant Told Him Guns Used In 1899 Riots Shipped Him in Piano Boxes from Denver.

Boise, Idaho, Dec. 11 .- The announcement that Harry Orchard would be called as a witness in the Pettibone trial this morning caused the presence of many spectators, a large number of women being present. Orchard was called as the first witness and he comptly entered, accompanied by two penitentiary guards. He was dressed in a neat business suit and in general appearance showed little changs since the Haywood trial.

The witness was perfectly composed as he answered the questions put by James H. Hawley of the prosecution. The early life of Orchard in Canada was touched only briefly. The witness stated his true name as Alfred E. Horsley and his age as 40 years. As he testified Pettibone and Moyer watch-A question by him as to what the phrase meant elicited information from a fellow clerk that led to an investigation which resulted in the baptism of Mr. Winder on Sept. 20, 1848. His wife, Ellen Walters Winder, was haptized the following month. In February, 1852, the family, which by that time included three children, sailed for America in the ship Elvira Owen. Oct. 10 witnessed their arrival in Salt Lake City, and this county has been the place of residence of Colonel Winders since that time. His illustrious labors in the Church, as well as in civil and military affairs, are too well known to the people of Utah to require rehearsing. Than President Winder, few. if any, have been more active and successful in the highest esteem by all, regardless of sect or creed.

FOUL AIR.

Is Breath of Death in Large Cities, Says Health Commissioner Evans.
Chicago, Dec. 11.—'Foul air from improper ventilation is the breath of death, improper ventilation is reaping a harvest of 1,000 lives. Nor is this ratio confined to the slums.'

In these words Commissioner of Health W. A. Evans last night, in a speech at the Fort Deurborn club, expressed his belief that the atmosphere of image in the wind of the caling of troops and phenomenia have the greatest death rates in our city. In almost every case of these diseases, the primary cause is the breathing of foul air, 'he said.

In speaking of foul air, 'he said.
In speaking of foul air, 'he said.
In speaking of foul are than than not having enough to eat, ed him intensely, but he merely glanced in their direction. Before beginning

had concluded the narrative adjourn-ment was taken for the noon recess.

MILTON'S SIGNATURE IN BIBLE NOT GENUINE.

New York. Dec. 11.-Book collectors hroughout the English-speaking world are interested in the claim of George H. Richmond, a book dealer, that the "John Milton Family Bible," a book known to Milton Family Bible, a book known to all collectors, which he bought at auction the other day, contains only forged signatures of John Milton, the poet and Elizabeth, his third wife. Mr. Richmond has returned the book to the Anderson company, the auctioneers from whom he bought it, who have accepted it, although they refuse to return to him the \$1,25 which he paid for it, or to admit that the signatures are forged. The original importers of the book. Dood, Mead & company, who bought it at auction in London in 1901 contend that the signatures are certainly genuine. The book was sold by them to William H. Buckler of Baltimore, now secretary of the American legation at Madrid, and by him turned over with the rest of his library to the Anderson company for sale. Word has been received from England that W. Aldis Wright, of Trinity college, Cambridge university, an expert, denies that he certified to the genuineness of Milton's signature. He says that he told Mr. Buckler that the signature was not that of the poet, but that of Major John Milton, of the city of London trained bands. He believes, however, that the bible was once in the family of Milton, the poet. ill collectors, which he bought at auction

NOT HIS AFFINITY.

Geo. Clifford Drouillard Had Idea Mrs. Potter Palmer Was His.

Mrs. Potter Faillier Was His.
Chicago, Dec. II.—A dispatch to the Tribune from Cincinnati says:
Pessessed by the delusion that Mrs.
Potter Pailmer of Chicago, is his affinity.
George Clifford Drouillard, was adjudged insane yesterday and sent to Longview asvium. Drouillard was a clerk and has beld responsible positions, has written many letters filled with endearing terms, and addressed them to the society leader of Chicago. He does not know Mrs.
Palmer, nor has he ever seen her, according to his friends.

LIQUOR TRAFFIC.

Michigan Grange Asks Constitutional

Convention to Prohibit It. Saginaw, Mich., Dec. II.—The State Grange at its annual meeting here yesterday adopted a resolution calling on the constitutional convention now in session at Lansign to insert a clause in the new constitution prohibiting all traffic in liquor. The Michigan grange has a membership of \$1,000 and 400 delegates are in attendance at the sessions here.

SURGEON CUT JUGULAR VEIN

Chicago. Dec. II.—After microscopic examination of the exhumed body of Miffred transon, 5-year-old, who died at Lakewiew hespital after a surgical operation for tubercular thouble five physicians decided last evening that the child's jugular vein had been irokan and Coroner Hoffman immediately ordered in inquest. This outcome lends color to the allegations of the child's father. Corl Hanson, that the jugular vein was accidentally severed by the surgeon in charge while sperating upon her throat.